

1 AN ACT relating to the National Crime Information Center.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 620 IS CREATED TO  
4 READ AS FOLLOWS:

- 5 (1) As used in this section, "emergency placement" means those limited instances  
6 when the Cabinet for Health and Family Services' Department for Community  
7 Based Services is placing a child in the home of private individuals, including  
8 neighbors, friends, or relatives, as a result of a sudden unavailability of the  
9 child's primary caregiver.
- 10 (2) During an emergency placement when a child must be placed in home-care due  
11 to the absence of parents or custodians, the Department for Community Based  
12 Services may request that a criminal justice agency perform a federal name-based  
13 criminal history record check of each adult residing in the home. Name-based  
14 check results may be provided to the Department for Community Based Services,  
15 which shall then provide a complete set of each adult resident's fingerprints to  
16 the Department of Kentucky State Police for the immediate submission to the  
17 Federal Bureau of Investigation within fourteen (14) calendar days from the date  
18 the name search was conducted. The Department of Kentucky State Police shall  
19 either positively identify the fingerprint subject or forward the fingerprints to the  
20 Federal Bureau of Investigation within fifteen (15) calendar days from the day  
21 the name search was conducted. The child shall be removed from the home  
22 immediately if any adult resident fails to provide such fingerprints and written  
23 permission to perform a federal criminal history record check when requested.
- 24 (3) When placement of a child in a home is denied as a result of a name-based  
25 criminal history record check of a resident, and the resident contests that denial,  
26 each such resident shall, within fifteen (15) calendar days, submit to the  
27 Department for Community Based Services a complete set of the resident's

- 1     fingerprints with written permission allowing the Department for Community  
2     Based Services to forward the fingerprints to the Department of Kentucky State  
3     Police for submission to the Federal Bureau of Investigation.
- 4     (4) The Department of Kentucky State Police and the Federal Bureau of  
5     Investigation may each charge a reasonable fee for processing a fingerprint-  
6     based criminal history record check.